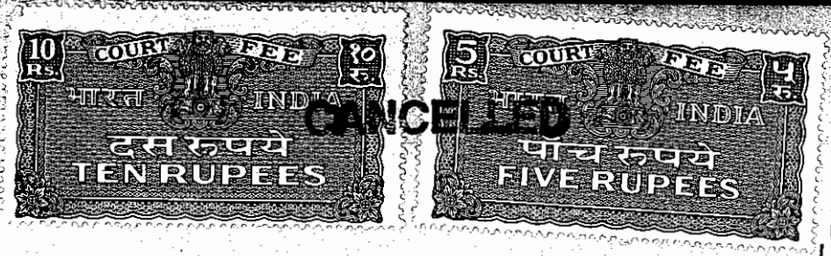

CANCELLED

IN THE HIGH COURT OF JUDICATURE AT

BILASPUR (C.G.) Division Bench

M.A. NO. 743 /2005

APPELLANT : Shravan Nishad @ Sakhan
Applicant
Aged about 45 years
S/o. Late Suklawa Nishad
R/o. Near Maharastra Mandal Bhawan, Ramkund, Raipur Tahsil and District Raipur (C.G.)

VERSUS

RESPONDENTS

1. Prakash Singh Rajput
Aged about 32 years
S/o. Shri Roopsingh Rajput
R/o. Near Mandigate Pandari
P.S. Pandari Tarai, Raipur
Tah. And Dist. Raipur (C.G.)

2. Krishna Kumar Yadav
aged 36 years
S/o. not known
R/o. Janta Colony Gudhiyari
Raipur, District Raipur (C.G.)

3. National Insurance Co.Ltd.
Through Branch Office
Branch Manager, Near Post Office
G.E. Road, Raipur, District Raipur (C.G.)

P.R. No. 16/7/06
Presented by Shri R.K. Gupta Adv.
dated 17/8/06

MISCELLANEOUS APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT, 1988

HIGH COURT OF CHHATTISGARH: BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 743 OF 2005

Appellant: Shravan Nishad

Versus

Respondents: Prakash Singh Rajput & Others

(Arising out of Claim Case No. 90 of 2004)

03/02/2007

Shri Raghavendra Pradhan, counsel for the appellant.

None for respondents No. 1 and 2.

Shri. S. Das, Assistant Manager, National Insurance Company Ltd. with Shri Raj Awasthi, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs. 1,75,000/- (Rupees One Lakh seventy-five thousand only) to the appellant.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs.1,750/- (Rupees One thousand seven hundred fifty only) shall be paid to counsel for the appellant directly by respondent No.3 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-

Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/-

Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

raju